

UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

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Judge D. Lowell Jensen
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Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
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Judge David R. Hansen
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DIRECT REPLY TO:

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February 13, 2006

Loretta G. Whyte, Clerk
C-151 U.S. Courthouse
500 Poydras Street
New Orleans, LA 70130-3367

8:05CV560

Re: MDL-1657 -- In re Vioxx Marketing, Sales Practices and Products Liability Litigation

(See Attached Schedule CTO-38)

Dear Ms. Whyte:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on January 26, 2006. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

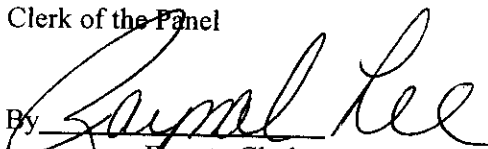
The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

The Panel has ordered that its Rule 1.6(a), pertaining to transfer of files, be suspended for purposes of this litigation. Accordingly, the transferee district clerk shall request, and the transferor district clerk shall forward, only those files deemed necessary by the transferee district court.

A list of involved counsel is attached.

Very truly,

Michael J. Beck
Clerk of the Panel

By 
Deputy Clerk

Attachments

cc: Transferee Judge: Judge Eldon E. Fallon
Transferor Judges: (See Attached List of Judges)
Transferor Clerks: (See Attached List of Clerks)

FILED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OCT 17 AM 11:41
OFFICE OF THE CLERK

SCHEDULE CTO-38 - TAG-ALONG ACTIONS
DOCKET NO. 1657
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
ALABAMA NORTHERN	
ALN 2 05-2555	Cynthia L. Bright v. Merck & Co., Inc., et al.
ALN 2 05-2556	Windford J. Wheelles v. Merck & Co., Inc., et al.
ARKANSAS EASTERN	
ARE 4 05-1906	Gary Whitt, et al. v. Merck & Co., Inc.
CALIFORNIA EASTERN	
CAE 2 05-2567	Tommie Calhoun v. Merck & Co., Inc., et al.
CAE 2 05-2568	John Palmer, etc. v. Merck & Co., Inc., et al.
CAE 2 05-2584	Esther Ned v. Merck & Co., Inc., et al.
CALIFORNIA NORTHERN	
CAN 3 05-5158	Trey Ditlevsen v. Merck & Co., Inc., et al. Opposed 2/9/06
CAN 3 05-5233	Shirley H. Simmons v. Merck & Co., Inc., et al.
CONNECTICUT	
CT 3 05-1881	Colleen Cooper, et al. v. Merck & Co., Inc.
FLORIDA MIDDLE	
FLM 2 05-594	Richard C. Otis v. Merck & Co., Inc.
FLM 8 05-2275	Gerald Shelmandine v. Merck & Co., Inc.
FLM 8 05-2310	Roslyn Vasquez, et al. v. Merck & Co., Inc.
FLM 8 05-2311	Barbara Germana, et al. v. Merck & Co., Inc.
FLM 8 05-2323	George Vissichelli, et al. v. Merck & Co., Inc.
FLM 8 05-2330	John Brennan v. Merck & Co., Inc.
FLORIDA SOUTHERN	
FLS 0 05-61746	Darlene Rose, et al. v. Merck & Col., Inc.
FLS 0 05-61754	Shari Cayle v. Merck & Co., Inc.
GEORGIA MIDDLE	
GAM 5 05-458	Charles E. Lindsey, et al. v. Merck & Co., Inc.
GEORGIA NORTHERN	
GAN 1 05-3143	Eula Bolton, et al. v. Merck & Co., Inc.
IOWA NORTHERN	
IAN 3 05-3078	Cindy Anderson, et al. v. Merck & Co., Inc.
IAN 5 05-4149	Geri Martin v. Merck & Co., Inc.
IDAHO	
ID 1 05-499	Janene Watson, etc. v. Merck & Co., Inc.
ILLINOIS NORTHERN	
ILN 1 05-7010	Anthony J. Pontrelli v. Merck & Co., Inc.

SCHEDULE CTO-38 TAG-ALONG ACTIONS (MDL-1657)

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DIST. DIV. C.A. #CASE CAPTION

ILLINOIS SOUTHERN

~~HS 3 05-823~~ ~~Peggie Craig, et al. v. Merck & Co., Inc., et al. Opposed 2/10/06~~
~~HS 3 05-884~~ ~~Irene Anzona v. Merck & Co., Inc., et al. Opposed 2/7/06~~

KANSAS

KS 2 05-2538 Helen L. Stirens, et al. v. Merck & Co., Inc.
 KS 5 05-4147 Robert Hulteen v. Merck & Co., Inc.

LOUISIANA WESTERN

LAW 5 05-1729 Kathleen Keenan v. Merck & Co., Inc.

MINNESOTA

MN 0 05-2878 Malcolm Haggart v. Merck & Co., Inc.
 MN 0 05-2894 Elinor M. Lemon, etc. v. Merck & Co., Inc.
 MN 0 05-2941 Orville Bratland v. Merck & Co., Inc.
 MN 0 05-2942 Arvid Houghlum, M.D., etc. v. Merck & Co., Inc.

MISSOURI EASTERN

MOE 4 05-2310 Eddie Broomfield v. Merck & Co., Inc., et al.

MISSOURI WESTERN

MOW 4 05-1252 Charles M. Reskin, et al. v. Merck & Co., Inc., et al.
 MOW 4 05-1263 Lora Bradford, et al. v. Merck & Co., Inc.
 MOW 4 05-1264 Donald Bain, et al. v. Merck & Co., Inc.

MISSISSIPPI SOUTHERN

MSS 2 05-2180 Harrol Eugene Davis v. Merck & Co., Inc.
 MSS 2 05-2181 Woodrow Spinks, et al. v. Merck & Co., Inc.

NORTH CAROLINA EASTERN

NCE 5 05-819 John Bereskie, et al. v. Merck & Co., Inc.

NEBRASKA

NE 8 05-560 Roy E. Wilkerson v. Merck & Co., Inc.

NEW YORK WESTERN

~~NYW 6 05-6710~~ ~~Ruth Sugarman v. Merck & Co., Inc., et al. Opposed 2/10/06~~
~~NYW 6 05-6711~~ ~~Mary S. Sicari, etc. v. Merck & Co., Inc., et al. Opposed 2/10/06~~
~~NYW 6 05-6712~~ ~~Evelyn Depascale v. Merck & Co., Inc., et al. Opposed 2/10/06~~
~~NYW 6 05-6713~~ ~~Michele Frain, et al. v. Merck & Co., Inc., et al. Opposed 2/10/06~~
~~NYW 6 05-6714~~ ~~Joseph Kauschinger, et al. v. Merck & Co., Inc., et al. Opposed 2/10/06~~
~~NYW 6 05-6715~~ ~~Gary R. Laux, etc. v. Merck & Co., Inc., et al. Opposed 2/10/06~~
~~NYW 6 05-6716~~ ~~Kathryn Lee, etc. v. Merck & Co., Inc., et al. Opposed 2/10/06~~
~~NYW 6 05-6717~~ ~~Maynard Neal, etc. v. Merck & Co., Inc., et al. Opposed 2/10/06~~
 NYW 6 05-6730 Albert Bruno v. Merck & Co., Inc.

OHIO NORTHERN

OHN 3 05-7475 Michael D. Lynn v. Merck & Co., Inc.
 OHN 5 05-2810 Edward H. Boylan, et al. v. Merck & Co., Inc.
 OHN 5 05-2853 James M. Lewis, M.D., et al. v. Merck & Co., Inc.

OHIO SOUTHERN

OHS 1 05-728 Roger Radcliff, et al. v. Merck & Co., Inc.

SCHEDULE CTO-38 TAG-ALONG ACTIONS (MDL-1657)

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
OREGON	
OR 3 05-1915	Thomas L. Pettyjohn, et al. v. Merck & Co., Inc.
PENNSYLVANIA EASTERN	
PAE 2 05-6230	Francis S. Binder, et al. v. Merck & Co., Inc., et al.
PAE 2 05-6316	Bobbie Saylor, et al. v. Merck & Co., Inc., et al.
PAE 2 05-6380	Cynthia Puhl v. Merck & Co., Inc.
PAE 2 05-6618	Terry Burnett, et al. v. Merck & Co., Inc., et al.
PAE 2 05-6671	Eddie Mack Morgan, et al. v. Merck & Co., Inc., et al.
SOUTH DAKOTA	
SD 4 05-4190	Hinde Butts, etc. v. Merck & Co., Inc.
TENNESSEE MIDDLE	
TNM 3 05-913	Thena M. Johnson v. Merck & Co., Inc.
TEXAS EASTERN	
TXE 1 05-844	Clara Beth Urban, etc. v. Merck & Co., Inc.
TXE 1 05-852	Norma L. Howard v. Merck & Co., Inc.
TXE 4 05-476	Herbert E. Reichle, et al. v. Merck & Co., Inc.
TEXAS NORTHERN	
TXN 2 05-321	Eldeared Granville v. Merck & Co., Inc.
TEXAS SOUTHERN	
TXS 4 05-3703	Emil O'Rosky, et al. v. Merck & Co., Inc.
TXS 4 05-4265	Robert L. Williams, etc. v. Merck & Co., Inc. Opposed 2/13/06
TEXAS WESTERN	
TXW 6 05-427	James Allen Wright, et al. v. Merck & Co., Inc.
WASHINGTON WESTERN	
WAW 2 05-2079	Douglas Schmidt v. Merck & Co., Inc.

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INVOLVED JUDGES LIST (CTO-38)**DOCKET NO. 1657****IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

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~~Houston, TX 77002~~

INVOLVED JUDGES LIST (CTO-38) MDL-1657

PAGE 2 of 2

Hon. David G. Larimer
U.S. District Judge
250 Kenneth B. Keating Fed. Bldg.
100 State Street
Rochester, NY 14614-1324

Hon. Richard A. Lazzara
U.S. District Judge
Sam M. Gibbons U.S. Courthouse
801 North Florida Avenue
Tampa, FL 33602-3800

Hon. David F. Levi
Chief Judge, U.S. District Court
14-200 United States Courthouse
501 I Street
Sacramento, CA 95814-2322

Hon. Edward J. Lodge
U.S. District Judge
James A. McClure Federal
Building & U.S. Courthouse
550 West Fort Street
Boise, ID 83724-0101

Hon. John T. Maughmer
U.S. Magistrate Judge
7662 Charles Evans Whittaker
U.S. Courthouse
400 East Ninth Street
Kansas City, MO 64106

Hon. Steven D. Merryday
U.S. District Judge
15A Sam M. Gibbons
U.S. Courthouse
801 North Florida Avenue
Tampa, FL 33602

Hon. Carlos Murguia
U.S. District Judge
537 Robert J. Dole U.S. Courthouse
500 State Avenue
Kansas City, KS 66101

Hon. Thomas N. O'Neill, Jr.
Senior U.S. District Judge
4007 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

Hon. John R. Padova
U.S. District Judge
6614 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1759

Hon. Marilyn Hall Patel
U.S. District Judge
Phillip Burton U.S. Courthouse
Box 36060
450 Golden Gate Avenue
San Francisco, CA 94102-3661

Hon. Catherine D. Perry
U.S. District Judge
Thomas F. Eagleton U.S. Courthouse
111 South Tenth Street, 14th Floor
St. Louis, MO 63102-9958

Hon. Lawrence L. Piersol
Chief Judge, U.S. District Court
202 U.S. Courthouse
400 South Phillips Avenue
Sioux Falls, SD 57104-6851

~~Hon. Michael J. Reagan
U.S. District Judge
200 Melvin Price Fed. Bldg.
& U.S. Courthouse
750 Missouri Avenue
E. St. Louis, IL 62201~~

Hon. Julie A. Robinson
U.S. District Judge
405 United States Courthouse
444 Southeast Quincy Street
Topeka, KS 66683

Hon. Mary Lou Robinson
U.S. District Judge
226 J. Marvin Jones Federal Building
205 East Fifth Avenue
Amarillo, TX 79101

Hon. Eduardo C. Robreno
U.S. District Judge
11614 James A. Byrne
U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1745

Hon. James M. Rosenbaum
Chief Judge, U.S. District Court
15E U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Hon. Berle M. Schiller
U.S. District Judge
5614 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

Hon. Walter S. Smith, Jr.
Chief Judge, U.S. District Court
301 Federal Building
800 Franklin Avenue
Waco, TX 76701

Hon. Keith Starrett
U.S. District Judge
U.S. District Court
228 U.S. Courthouse Federal Bldg
701 N. Main Street
Hattiesburg, MS 39401

Hon. Lawrence F. Stengel
U.S. District Judge
United States District Court
18316 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1796

Hon. Lyle E. Strom
Senior U.S. District Judge
3190 Roman L. Hruska
U.S. Courthouse
111 South 18th Plaza
Omaha, NE 68102

Hon. Horace T. Ward
Senior U.S. District Judge
Richard B. Russell Federal Bldg.
& U.S. Courthouse, Room 2388
75 Spring Street, S.W.
Atlanta, GA 30303

Hon. Herman J. Weber
Senior U.S. District Judge
801 Potter Stewart U.S. Courthouse
100 East Fifth Street
Cincinnati, OH 45202

Hon. Dean Whipple
Chief Judge, U.S. District Court
8652 Charles Evans Whittaker
U.S. Courthouse
400 East Ninth Street
Kansas City, MO 64106

Hon. Scott O. Wright
Senior U.S. District Judge
8662 Charles Evans Whittaker
U.S. Courthouse
400 East Ninth Street
Kansas City, MO 64106

Hon. William J. Zloch
Chief Judge, U.S. District Court
202B United States Courthouse
299 East Broward Boulevard
Fort Lauderdale, FL 33332

**INVOLVED CLERKS LIST (CTO-38)
DOCKET NO. 1657**

IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION

Bruce Rifkin, Clerk
U.S. Courthouse
700 Stewart Street
Seattle, WA 98101

Cameron S. Burke, Clerk
Fed. Bldg. & U.S. Courthouse, MSC 039
550 West Fort Street
Boise, ID 83724

Clarence Maddox, Clerk
Federal Courthouse Square
301 North Miami Avenue
Miami, FL 33128-7788

David J. Maland, Clerk
Jack Brooks Federal Bldg. & U.S. Courthouse
300 Willow Street, Suite 104
Beaumont, TX 77701

David J. Maland, Clerk
216 Federal Building
101 East Pecan Street
Sherman, TX 75090

Denise Lucks, Clerk
1152 Roman L. Hruska
U.S. Courthouse
111 South 18th Plaza
Omaha, NE 68102-1322

Donald M. Cinnamond, Clerk
740 Mark O. Hatfield U.S. Courthouse
1000 Southwest Third Avenue
Portland, OR 97204-2902

Fred Borch, Clerk
U.S. District Court
P.O. Box 25670
Raleigh, NC 27611-5670

Geri M. Smith, Clerk
568 U.S. Courthouse & Federal Building
Two South Main Street
Akron, OH 44308-1876

Geri M. Smith, Clerk
114 U.S. Courthouse
1716 Spielbusch Avenue
Toledo, OH 43624-1347

Gregory J. Leonard, Clerk
P.O. Box 128
Macon, GA 31202-0128

J.T. Noblin, Clerk
200 U.S. Courthouse & Federal Building
701 North Main Street
Hattiesburg, MS 39401

Jack L. Wagner, Clerk
4-200 U.S. Courthouse
501 I Street
Sacramento, CA 95814-2322

James Bonini, Clerk
324 Potter Stewart U.S. Courthouse
100 East Fifth Street
Cincinnati, OH 45202

James D. Hodges, Jr., Clerk
301 U.S. Courthouse
320 Sixth Street
Sioux City, IA 51101

James D. Hodges, Jr., Clerk
301 Federal Building
320 Sixth Street
Sioux City, IA 51101

James W. McCormack, Clerk
402 U.S. Post Office & Courthouse
600 West Capitol Avenue
Little Rock, AR 72201-3325

James Woodward, Clerk
3300 Thomas F. Eagleton U.S. Courthouse
111 South Tenth Street
St. Louis, MO 63102

Joseph A. Haas, Clerk
128 United States Courthouse
400 South Phillips Avenue
Sioux Falls, SD 57102

Karen S. Mitchell, Clerk
J. Marvin Jones Federal Bldg.
P.O. Box F13240
205 East Fifth Avenue
Amarillo, TX 79101-1556

Keith Throckmorton, Clerk
800 U.S. Courthouse
801 Broadway
Nashville, TN 37203-3816

INVOLVED CLERKS LIST (CTO-38) MDL-1657

Kevin F. Rowe, Clerk
Richard C. Lee U.S. Courthouse
141 Church Street
New Haven, CT 06510

Luther D. Thomas, Clerk
2211 Richard B. Russell Fed. Bldg. & U.S. Courthouse
75 Spring Street, S.W.
Atlanta, GA 30303-3361

Michael E. Kunz, Clerk
2609 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1796

Michael N. Milby, Clerk
United States District Court
P.O. Box 61010
Houston, TX 77208-1010

Michael W. Dobbins, Clerk
Everett McKinley Dirksen U.S. Courthouse
219 South Dearborn Street
Chicago, IL 60604

~~Norbert G. Jaworski, Clerk
U.S. District Court
P.O. Box 249
E. St. Louis, IL 62202-0249~~

Patricia L. Brune, Clerk
2710 Charles Evans Whittaker U.S. Courthouse
400 E. Ninth Street
Kansas City, MO 64106

Perry D. Mathis, Clerk
140 Hugo L. Black U.S. Courthouse
1729 5th Avenue North
Birmingham, AL 35203

Ralph L. DeLoach, Clerk
259 Robert J. Dole U.S. Courthouse
500 State Avenue
Kansas City, KS 66101-2430

Ralph L. DeLoach, Clerk
490 Frank Carlson Federal Building
& U.S. Courthouse
444 S.E. Quincy Street
Topeka, KS 66683

Richard Sletten, Clerk
202 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Richard W. Wieking, Clerk
Phillip Burton U.S. Courthouse
Box 36060
450 Golden Gate Avenue
San Francisco, CA 94102-3489

Robert H. Shemwell, Clerk
1167 U.S. Courthouse
300 Fannin Street
Shreveport, LA 71101-3083

Rodney C. Early, Clerk
2120 Kenneth B. Keating Federal Building
100 State Street
Rochester, NY 14614-1368

Sheryl L. Loesch, Clerk
2-194 U.S. Courthouse & Federal Building
2110 First Street
Fort Myers, FL 33901

Sheryl L. Loesch, Clerk
218 Sam M. Gibbons U.S. Courthouse
801 North Florida Avenue
Tampa, FL 33602-3800

William G. Putnicki, Clerk
20 St. Charles Place
600 Austin Avenue
Waco, TX 76703